

Exhibit A

Proposed Order

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et*
al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

This filing relates to PREPA.

**ORDER GRANTING FIVE HUNDRED THIRTY-FOURTH OMNIBUS OBJECTION
(SUBSTANTIVE) OF THE PUERTO RICO ELECTRIC POWER AUTHORITY TO
CLAIMS THAT ARE PARTIALLY SATISFIED AND PARTIALLY ASSERT
AMOUNTS FOR WHICH PREPA IS NOT LIABLE**

Upon the *Five Hundred Thirty-Fourth Omnibus Objection (Substantive) of the Puerto Rico Electric Power Authority to Claims That Are Partially Satisfied and Partially Assert Amounts for Which PREPA Is Not Liable* [ECF No. 22266] (the “Five Hundred Thirty-Fourth Omnibus Objection”)² filed by the Puerto Rico Electric Power Authority (“PREPA”), dated

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”, and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² Capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Five Hundred Thirty-Fourth Omnibus Objection.

September 16, 2022, for entry of an order reducing the amount of certain claims filed against PREPA on the basis that certain of these claims are partially satisfied and/or that PREPA has no liability for additional portions of the claims, as more fully set forth in the Five Hundred Thirty-Fourth Omnibus Objection and supporting exhibits thereto; and the Court having jurisdiction to consider the Five Hundred Thirty-Fourth Omnibus Objection and to grant the relief requested therein pursuant to PROMESA section 306(a); and venue being proper pursuant to PROMESA section 307(a); and due and proper notice of the Five Hundred Thirty-Fourth Omnibus Objection having been provided to those parties identified therein, and no other or further notice being required; and the Court having determined that the claims identified in the column titled “Asserted” in Exhibit A to the Five Hundred Thirty-Fourth Omnibus Objection (collectively, the “Claims to Be Partially Disallowed”) having been found to be satisfied in part or to seek recovery of amounts for which PREPA is not liable, as applicable; and the Court having determined that the relief sought in the Five Hundred Thirty-Fourth Omnibus Objection is in the best interest of PREPA and its creditors, and all the parties in interest; and the Court having determined that the legal and factual bases set forth in the Five Hundred Thirty-Fourth Omnibus Objection establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED that the Five Hundred Thirty-Fourth Omnibus Objection is GRANTED as set forth herein; and it is further

ORDERED that the Claims to Be Partially Disallowed are hereby reduced and disallowed to the extent they assert claims for amounts already paid and/or for which PREPA has no liability, such that the Claims to Be Disallowed shall now only be considered claims asserting

the amount set forth in the column titled “Remaining Claim” in Exhibit A to the Five Hundred Thirty-Fourth Omnibus Objection, respectively; and it is further

ORDERED that PREPA’s right to object to the remaining portions of these claims, as set forth in the column titled “Remaining Claim” in Exhibit A to the Five Hundred Thirty-Fourth Omnibus Objection, is reserved; and it is further

ORDERED that Kroll is authorized and directed to delete and reduce the amount asserted in the Claims to Be Partially Disallowed by the disallowed portions (i.e., reducing the amount of the claims to the amounts set forth in the column titled “Remaining Claim” in Exhibit A to the Five Hundred Thirty-Fourth Omnibus Objection) from the official claims register in the PREPA Title III Case; and it is further

ORDERED that this Order resolves Docket Entry No. 22266 in Case No. 17-3283; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order

SO ORDERED

Dated: _____

Honorable Judge Laura Taylor Swain
United States District Judge

EXHIBIT A

Schedule of Claims Subject to the Five Hundred Thirty-Fourth Omnibus Objection

FIVE HUNDRED THIRTY-FOURTH OMNIBUS OBJECTION

Exhibit A – Partially Satisfied / Partially No Liability Claims

NAME	DATE FILED	CASE NUMBER	DEBTOR	CLAIM #	ASSERTED CLAIM AMOUNT	SATISFIED AMOUNT	NO LIABILITY AMOUNT	REMAINING CLAIM
1 ENVIRONICS ENGINEERING GROUP CORP P.O. BOX 29535 SAN JUAN, PR 00929 Reason: Liabilities associated with the claim have been paid by PREPA in part.	6/12/2018	17-03283	PUERTO RICO ELECTRIC POWER AUTHORITY	63950	\$120,918.93	\$1,831.76	\$0.00	\$119,087.17
2 POLEN CAPITAL MANAGEMENT, LLC 1825 NW CORPORATE BLVD SUITE 300 BOCA RATON, FL 33431 Reason: PREPA is not liable for a part of liabilities associated with this claim because the claimant's contract was invalid during the period of services provided	3/7/2018	17-03283	PUERTO RICO ELECTRIC POWER AUTHORITY	1184	\$25,497.00	\$0.00	\$13,031.80	\$12,465.20
3 RANGER AMERICAN ARMORED SERVICES INC PO BOX 29105 SAN JUAN, PR 00929 Reason: Liabilities associated with the claim have been paid by PREPA in part. PREPA is not liable for a part of liabilities associated with this claim because (i) a Good Friday discount was applied, (ii) approved invoice removed costs associated with days that services were not provided, or (iii) it was properly withheld pursuant to Puerto Rico tax law	6/29/2018	17-03283	PUERTO RICO ELECTRIC POWER AUTHORITY	75861	\$73,340.52	\$16,134.00	\$543.30	\$56,663.22
4 RUSSELL REYNOLDS ASSOCIATES, INC. CHARLES E. BOULBOL, PC 26 BROADWAY 17TH FLOOR NEW YORK, NY 10004 Reason: PREPA is not liable for a part of liabilities associated with this claim because (i) a portion of such liabilities have been paid and (ii) another portion was properly withheld pursuant to Puerto Rico tax law	5/22/2018	17-03283	PUERTO RICO ELECTRIC POWER AUTHORITY	18106	\$56,425.11	\$2,385.00	\$6,000.00	\$48,040.11

* - Indicates claim contains unliquidated and/or undetermined amounts.